

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

IN RE PORK ANTITRUST
LITIGATION

Case No. 18-cv-1776 (JRT/JFD)

This Document Relates to:

All Class Actions

**JOINT STIPULATION TO CONTINUE DEADLINES
FOR JOINT MOTIONS REGARDING CONTINUED SEALING**

Counsel for the undersigned Direct Purchaser Plaintiffs (“DPPs”), Commercial and Institutional Indirect Purchaser Plaintiffs (“CIIPPs”), and Consumer Indirect Purchaser Plaintiffs (“CIPPs”) (together, “Class Plaintiffs”); and Defendants¹ (collectively, the “Parties”) in the above-captioned consolidated action stipulate and hereby jointly request, pursuant to Federal Rules of Civil Procedure 16(b)(5) and D. Minn. Local Rule 16.3, that the Court continue the existing deadlines, as set by D. Minn. Local Rule 5.6(d)(2) (“L.R. 5.6”), for certain joint motions regarding continued sealing concerning Class Plaintiffs’ motions for class certification, as set forth below.

The Parties previously stipulated, and the Court ordered, an extension to align the deadlines for the joint motions regarding continued sealing of Class Plaintiffs’ class certification motions, as set by L.R. 5.6, to match the deadlines for the joint motions

¹ Agri Stats, Inc.; Clemens Food Group, LLC and Clemens Family Corp.; Hormel Foods Corp.; Seaboard Foods LLC; Triumph Foods, LLC; and Tyson Foods, Inc., Tyson Fresh Meats, Inc. and Tyson Prepared Foods, Inc.

regarding continued sealing concerning Defendants' motions to exclude the reports and testimony of Drs. Mangum, Williams, and Singer (i.e., 21 days after January 6, 2023). *See* ECF Nos. 1661 (Stipulation), 1664 (Order). The Parties sought an additional extension until February 10, 2023, which the Court approved. *See* ECF Nos. 1785 (Stipulation), 1788 (Order).

The Parties now seek a limited, one-week extension to file just two joint motions. First, DPPs and Defendants seek an extension to file the joint motion regarding continued sealing of the briefing related to DPPs' motion for class certification, including DPPs' brief ISO motion for class certification, Defendants' brief opposing certification of DPP class, and DPPs' reply ISO class certification. This additional time will permit the Parties to complete their meet and confer with certain third parties, and third parties to the class certification motion, before filing the joint motion. Second, Class Plaintiffs and Defendants seek an extension to file a joint motion regarding the omnibus class certification papers that apply to all of the Class Plaintiffs' motions for class certification, including Defendants' omnibus and sur-reply briefs opposing certification of all classes and Class Plaintiffs sur-rebuttal.

The remaining joint motions will be, or have been, filed on February 10, 2023. These include joint motions regarding continued sealing of the motions to exclude DPPs', CIIPPs', and CIPPs' experts, as well as joint motions regarding CIIPPs' and CIPPs' motions for class certification (except with respect to the omnibus motion papers). The Parties agree that good cause exists to continue the deadline given the complexity of these filings and their good-faith meet and confer efforts.

Dated: February 10, 2023

Respectfully submitted,

/s/ Joseph C. Bourne

Joseph C. Bourne (MN #0389922)
W. Joseph Bruckner (MN #0147758)
Brian D. Clark (MN #0390069)
Arielle S. Wagner (MN #0398332)
Stephen M. Owen (MN # 0399370)
LOCKRIDGE GRINDAL NAUEN
P.L.L.P.
100 Washington Avenue South, Suite
2200
Minneapolis, MN 55401
T: (612) 339-6900
jcbourne@locklaw.com
wjbruckner@locklaw.com
bdclark@locklaw.com
aswagner@locklaw.com
smowen@locklaw.com

/s/Bobby Pouya

Bobby Pouya
Clifford H. Pearson
Daniel L. Warshaw
Michael H. Pearson
PEARSON WARSHAW, LLP
15165 Ventura Boulevard, Suite 400
Sherman Oaks, CA 92403
T: (818) 788-8300
cpearson@pwfirm.com
dwarshaw@pwfirm.com
bpouya@pwfirm.com
mpearson@pwfirm.com

Melissa S. Weiner (MN #0387900)
PEARSON WARSHAW, LLP
328 Barry Avenue South, Suite 200
Wayzata, MN 55391
Minneapolis, MN 55402
T: (612) 389-0600
mweiner@pwfirm.com

Bruce L. Simon
Benjamin E. Shiftan
Neil Swartzberg
PEARSON WARSHAW, LLP
555 Montgomery Street, Suite 1205
San Francisco, CA 94111
T: (415) 433-9000
F: (415) 433-9008
bsimon@pwfirm.com
bshiftan@pwfirm.com
nswartzberg@pwfirm.com

***Co-Lead Class Counsel for Direct
Purchaser Plaintiffs***

/s/Shaw M. Raiter

Shawn M. Raiter (MN# 240424)
LARSON KING, LLP
2800 Wells Fargo Place
30 East Seventh Street
St. Paul, MN 55101
T: (651) 312-6518
sraiter@larsonking.com

/s/ Blaine Finley

Blaine Finley
Jonathan W. Cuneo
Joel Davidow
CUNEO GILBERT & LADUCA, LLP
4725 Wisconsin Avenue NW, Suite 200
Washington, DC 20016
T: (202) 789-3960
bfinley@cuneolaw.com
jonc@cuneolaw.com
joel@cuneolaw.com

***Co-Lead Counsel for Commercial and
Institutional Indirect Purchaser
Plaintiffs***

/s Shana E. Scarlett

Shana E. Scarlett
Rio Pierce
HAGENS BERMAN SOBOL SHAPIRO
LLP
715 Hearst Avenue, Suite 202
Berkeley, CA 94710
Telephone: (510) 725-3000
Facsimile: (510) 725-3001
shanas@hbsslaw.com
riop@hbsslaw.com

Steve W. Berman
Breanna Van Engelen
HAGENS BERMAN SOBOL SHAPIRO
LLP
1301 Second Avenue, Suite 2000
Seattle, Washington 98101
Telephone: (206) 623-7292
Facsimile: (206) 623-0594
steve@hbsslaw.com
breannav@hbsslaw.com

Elaine T. Byszewski
HAGENS BERMAN SOBOL SHAPIRO
LLP
301 N. Lake Ave., Suite 920
Pasadena, CA 91101

Telephone: (213) 330-7150
elaine@hbsslaw.com

Daniel E. Gustafson (#202241)
Daniel C. Hedlund (#258337)
Michelle J. Looby (#388166)
Joshua J. Rissman (#391500)
GUSTAFSON GLUEK PLLC
120 South 6th Street, Suite 2600
Minneapolis, MN 55402
Telephone: (612) 333-8844
Facsimile: (612) 339-6622
dgustafson@gustafsongluek.com
dhedlund@gustafsongluek.com
mlooby@gustafsongluek.com
jrissman@gustafsongluek.com

***Counsel for Consumer Indirect
Purchaser Plaintiffs***

s/ Craig S. Coleman

Craig S. Coleman (#0325491)
Richard A. Duncan (#0192983)
Aaron D. Van Oort (#0315539)
Emily E. Chow (#0388239)
Isaac B. Hall (#0395398)
FAEGRE DRINKER BIDDLE & REATH
LLP
2200 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402-3901
(612) 766-7000
richard.duncan@faegredrinker.com
aaron.vanoort@faegredrinker.com
craig.coleman@faegredrinker.com
emily.chow@faegredrinker.com
isaac.hall@faegredrinker.com

Jacob D. Bylund (*pro hac vice*)
Stephanie A. Koltookian (*pro hac vice*)
Robert C. Gallup (#0399100)
FAEGRE DRINKER BIDDLE &
REATH LLP

/s/ Jarod Taylor

Jarod Taylor (*pro hac vice*)
AXINN, VELTROP & HARKRIDER
LLP
90 State House Square
Hartford, CT 06103
(860) 275-8109
jtaylor@axinn.com

Rachel J. Adcox (*pro hac vice*)
Tiffany Rider Rohrbaugh (*pro hac vice*)
Kenina J. Lee (*pro hac vice*)
Lindsey Strang Aberg (*pro hac vice*)
Brandon Boxbaum (*pro hac vice*)
Allison Vissichelli (*pro hac vice*)
Keith Holleran (*pro hac vice*)
AXINN, VELTROP & HARKRIDER
LLP
1901 L Street NW
Washington, DC 20036
(202) 912-4700
radcox@axinn.com
trider@axinn.com

801 Grand Ave., 33rd Floor
Des Moines, IA 50309
(515) 248-9000
jacob.bylund@faegredrinker.com
stephanie.koltookian@faegredrinker.com
robert.gallup@faegredrinker.com

Jonathan H. Todt (*pro hac vice*)
FAEGRE DRINKER BIDDLE & REATH
LLP
1500 K Street NW, Suite 1100
Washington, DC 20005
(202) 842-8800
jonathan.todt@faegredrinker.com

John S. Yi (*pro hac vice*)
FAEGRE DRINKER BIDDLE & REATH
LLP
One Logan Square, Suite 2200
Philadelphia, PA 19103
(215) 988-2700
john.yi@faegredrinker.com

Counsel for Hormel Foods Corporation

/s/ William L. Monts

William L. Monts (*pro hac vice*)
Justin W. Bernick (*pro hac vice*)
HOGAN LOVELLS US LLP
Columbia Square
555 Thirteenth Street, NW
Washington, D.C. 20004
(202) 637-5600
william.monts@hoganlovells.com
justin.bernick@hoganlovells.com

klee@axinn.com
lstrang@axinn.com
bboxbaum@axinn.com
avissichelli@axinn.com
kholleran@axinn.com

Craig M. Reiser (*pro hac vice*)
Kail Jethmalani (*pro hac vice*)
Andrea N. Rivers (*pro hac vice*)
Victoria J. Lu (*pro hac vice*)
AXINN, VELTROP & HARKRIDER
LLP
114 West 47th Street
New York, NY 10036
(212) 728-2200
creiser@axinn.com
kjethmalani@axinn.com
arivers@axinn.com
vlu@axinn.com

David P. Graham (#0185462)
DYKEMA GOSSETT PLLC
4000 Wells Fargo Center
90 South Seventh Street
Minneapolis, MN 55402
(612) 486-1521
dgraham@dykema.com

***Counsel for Tyson Foods, Inc., Tyson
Prepared Foods, Inc. and Tyson Fresh
Meats, Inc.***

/s/ Daniel Laytin

Daniel Laytin, P.C. (*pro hac vice*)
Christa Cottrell, P.C. (*pro hac vice*)
Jenna M. Stupar (*pro hac vice*)
KIRKLAND & ELLIS LLP
300 North LaSalle
Chicago, IL 60654
(312) 861-2000
daniel.laytin@kirkland.com
christa.cottrell@kirkland.com
jenna.stupar@kirkland.com

Peter H. Walsh (#0388672)
HOGAN LOVELLS US LLP
80 South Eighth Street, Suite 1225
Minneapolis, MN 55402
(612) 402-3000
peter.walsh@hoganlovells.com

Counsel for Agri Stats, Inc.

Mark L. Johnson (#0345520)
Davida S. McGhee (#0400175)
GREENE ESPEL PLLP
222 South Ninth Street, Suite 2200
Minneapolis, MN 55402
(612) 373-0830
mjohnson@greeneespel.com
dwilliams@greeneespel.com

***Counsel for Clemens Food Group, LLC
and The Clemens Family Corporation***

/s/ Christopher A. Smith
Christopher A. Smith (*pro hac vice*)
Aaron Chapin (#0386606)
Tessa K. Jacob (*pro hac vice*)
A. James Spung (*pro hac vice*)
Jason Husgen (*pro hac vice*)
HUSCH BLACKWELL LLP
190 Carondelet Plaza, Ste 600
St. Louis, MO 63105
Telephone: (314) 480-1500
chris.smith@huschblackwell.com
aaron.chapin@huschblackwell.com
tessa.jacob@huschblackwell.com
james.spung@huschblackwell.com
jason.husgen@huschblackwell.com

Counsel for Triumph Foods, LLC

/s/ William L. Greene
William L. Greene (#0198730)
Peter J. Schwingler (#0388909)
William D. Thomson (#0396743)
Jon W. Ripa (#0402069)
STINSON LLP
50 South Sixth Street, Suite 2600
Minneapolis, MN 55402
(612) 335-1500
william.greene@stinson.com
peter.schwingler@stinson.com
william.thomson@stinson.com
jon.ripa@stinson.com

J. Nicci Warr (*pro hac vice*)
STINSON LLP
7700 Forsyth Blvd., Suite 1100
St. Louis, MO 63105
(314) 863-0800
nicci.warr@stinson.com

Counsel for Seaboard Foods LLC